

# **THE KENTUCKY BOARD OF LICENSURE FOR PRIVATE INVESTIGATORS**

## **Minutes**

**January 6, 2011**

A regular Board Meeting of the Kentucky Board of Licensure for Private Investigators was held at the Board offices, Office of Occupations and Professions, 911 Leawood Drive, Frankfort, KY on January 6, 2011.

### **MEMBERS PRESENT**

Edward Mercer, Chairman  
Tracy J. Watwood, Police Officer  
Daniel Triplett, Private Investigator  
Mary Pedersen, Citizen at Large  
Nicole H. Pang, Representing Attorney General

### **OCCUPATIONS & PROFESSIONS STAFF**

David Garr, Acting Executive Director  
Adriana Lang, Board Administrator

### **MEMBER ABSENT**

Sheriff Kathryn H. Whitt  
John L. Logdon, Private Investigator

### **OTHERS PRESENT**

Angela Evans, Board Counsel

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### **CALL TO ORDER**

The Chairman, Mr. Mercer, called the meeting to order at 1:00 p.m.

### **ELECTION OF OFFICERS**

Mr. Triplett nominated Mr. Mercer as the Board Chair. Ms. Pedersen seconded the nomination. Mr. Triplett made a motion to close the nomination by acclamation. Ms. Pedersen seconded the motion. Motion carried. Mr. Mercer was elected the Chair for the year of 2011.

Mr. Triplett nominated Ms. Pedersen as the Board Vice- Chair. Mr. Watwood seconded the nomination. Mr. Triplett made a motion to close the nomination by acclamation. Mr. Watwood seconded the motion. Motion carried. Ms. Pedersen was elected the Vice-Chair for the year of 2011.

Ms. Pedersen nominated Mr. Triplett as the Board Secretary. Mr. Watwood seconded the nomination. Ms. Pedersen made a motion to close the nomination by acclamation. Mr. Watwood seconded the motion. Motion carried. Mr. Triplett was elected the Secretary for the year of 2011.

### **APPROVAL OF MINUTES**

The minutes of December 8, 2010 regular meeting was called to the attention of the members. A motion was made by Mr. Watwood to approve the minutes, as presented. The motion, seconded by Ms. Pedersen, carried unanimously.

### **FINANCIAL STATEMENT**

Mr. Garr explained that the Financial Statement is pending due to a major staff transition. He apologized for the delay.

### **LICENSURE STATUS REPORT**

The Board reviewed the Licensure Status Report as of January 6, 2011.

### **DIRECTOR'S REPORT**

Mr. Garr provided the Board a copy of the Memorandum (Memo) from the Governor's Office regarding Conflict of Interest Disclosure Statement. Mr. Garr also provided a copy of the Ethical Guidelines for Members of Executive Branch Boards and Commissions, Executive Order 2008-454. The Board reviewed the documents. Mr. Gar asked if anyone had any questions regarding the documents. The Board responded that they understood both documents.

Mr. Garr informed the Board that the Office of Occupations and Professions is currently implementing a new system which will include 1) hire two new employees to assist with processing backlog and other duties 2) Travel reimbursement will have a two day process. Once the new procedures are in place, the office will have a much faster process time. Mr. Mercer inquired about his out of state travel reimbursement. Mr. Garr stated that he would take care of the Mr. Mercer's travel reimbursement on the next business day.

### **ATTORNEY'S REPORT/ LEGAL MATTERS**

Ms. Evans provided the following report:

- 1) Provided a copy of the suggested amendments from the Legislative Research Commission (LRC) regarding 201 KAR 41:100. The Board reviewed and authorized Ms. Evans to write a letter in response stating that the Board accepts the suggested amendments. Ms. Evans requested for Boler to send her the amended forms so she can file it along with her response.
- 2) The Board office followed the regulatory procedures for the regulations. There is no need to respond to James Starks.
- 3) Will follow up with Mr. Grawe on the inquiry from Jan Sowinski.

### **COMPLAINT COMMITTEE REPORT**

The Complaint Committee met at 11:00 a.m.

Mr. Triplett recused himself from complain t 09-004 and left the room at 11:05 a.m.

09-004- Pending cease and desist response from attorney. Case is ongoing.

10-003- Met all requirements regarding advertising. Waiting for cease and desist response. Case is ongoing.

10-005- Send a letter to the licensee and give 20 days to respond.

Mr. Watwood made a motion to accept the Complaint Committee Report, as presented. The motion, seconded by Ms. Pang, carried unanimously.

### **NEW BUSINESS**

The Board reviewed an e-mail from Holly McCoy-Johnson stating that the mileage reimbursement rate beginning January 1, 2011 through March 31, 2011 is 44¢ per mile.

### **APPLICATION REVIEW COMMITTEE REPORT**

The application Committee met at 10:00 a.m.

INDIVIDUAL DENIED: *Cory King*.

A motion was made by Ms. Pedersen to deny the application for Cory King. The motion, seconded by Mr. Triplett, carried unanimously.

REINSTATEMENTS APPROVED: *Herb Goff, James Rich and Antony Roman.*

A motion was made by Ms. Pedersen to approve the above listed applications for reinstatement. The motion, seconded by Mr. Triplett, carried unanimously.

REINSTATEMENTS APPROVED WITH PROVISIONS: *J.B. Brooks, Sherri Minbinick and Lehman Papet.*

A motion was made by Mr. Triplett to approve the applications with provisions the above listed applications for reinstatement. The motion, seconded by Ms. Pang, carried unanimously.

### **TRAVEL AND PER DIEM**

A motion was made by Mr. Triplett to approve payment of travel expenses and per diem compensation for eligible members in attendance at today's meeting. The motion, seconded by Ms. Pedersen, carried unanimously.

### **ADJOURNMENT**

The Chairman, Mr. Mercer informed the Board that the next meeting is scheduled for Thursday February 3, 2011 at 1:00 p.m., the Application Review Committee Meeting at 10.00 a.m. Having no further business to be brought before the Board, a motion was made by Mr. Triplett to adjourn. Motion seconded by Ms. Pedersen, carried unanimously. The meeting adjourned at 1:32 p.m.

### **APPROVED**